

1           440.13 (2) (c) With respect to a credential granted by a credentialing board, a  
2           credentialing board shall restrict, limit or suspend a credential held by a person or  
3           deny an application for an initial credential or for reinstatement of an inactive  
4           license under s. 452.12 (6) (e) when directed to do so by the department.

5           **\*-1465/P4.1072\* \*-0808/2.465\* SECTION 3240.** 440.22 (2) of the statutes is  
6           amended to read:

7           440.22 (2) In any disciplinary proceeding against a holder of a credential in  
8           which the department or an examining board, affiliated credentialing board or board  
9           in the department orders suspension, limitation or revocation of the credential or  
10          reprimands the holder, the department, examining board, affiliated credentialing  
11          board or board may, in addition to imposing discipline, assess all or part of the costs  
12          of the proceeding against the holder. Costs assessed under this subsection are  
13          payable to the department. Interest shall accrue on costs assessed under this  
14          subsection at a rate of 12% per year beginning on the date that payment of the costs  
15          are due as ordered by the department, examining board, affiliated credentialing  
16          board or board. Upon the request of the department of ~~regulation and licensing~~  
17          safety and professional services, the department of justice may commence an action  
18          to recover costs assessed under this subsection and any accrued interest.

19          **\*-1465/P4.1073\* \*-0808/2.466\* SECTION 3241.** 440.905 (1) of the statutes is  
20          amended to read:

21          440.905 (1) In addition to the other duties and powers of the board under this  
22          subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety  
23          and professional services on matters relating to cemeteries, to this chapter, or to the  
24          board.

1           **\*-1465/P4.1074\* \*-0808/2.467\* SECTION 3242.** 440.92 (2) (d) of the statutes  
2 is amended to read:

3           440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the  
4 plans for the construction of the mausoleum have been submitted to the department  
5 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and  
6 the preneed sales contract includes the following language in not less than 10-point  
7 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE  
8 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF COMMERCE SAFETY  
9 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS  
10 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE  
11 PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND  
12 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN  
13 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF  
14 COMMERCE SAFETY AND PROFESSIONAL SERVICES."

15           **\*-1465/P4.1075\* \*-0808/2.468\* SECTION 3243.** 440.945 (5) (b) of the statutes  
16 is amended to read:

17           440.945 (5) (b) The department of justice or any district attorney, upon  
18 informing the department of justice, may commence an action in circuit court in the  
19 name of the state to restrain by temporary or permanent injunction any violation of  
20 this section. The court may, prior to entry of final judgment, make such orders or  
21 judgments as may be necessary to restore to any person any pecuniary loss suffered  
22 because of the acts or practices involved in the action, if proof of such loss is submitted  
23 to the satisfaction of the court. The department of justice may subpoena persons and  
24 require the production of books and other documents, and may request the  
25 department of ~~regulation and licensing~~ safety and professional services to exercise

1 its authority under par. (a) to aid in the investigation of alleged violations of this  
2 section.

3 **\*-1187/P5.502\* SECTION 3244.** 448.20 (2) of the statutes is amended to read:

4 448.20 (2) ADVISE ~~BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.

5 The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees  
6 of the University of Wisconsin-Madison and the Board of Regents of the University  
7 of Wisconsin System in establishing an educational program for physician assistants  
8 on the undergraduate level. The council shall suggest criteria for admission  
9 requirements, program goals and objectives, curriculum requirements, and criteria  
10 for credit for past educational experience or training in health fields.

11 **\*-1404/1.1\* SECTION 3245.** 450.01 (16) (h) (intro.) of the statutes is  
12 renumbered 450.01 (16) (h) and amended to read:

13 450.01 (16) (h) Making therapeutic alternate drug selections, if made in  
14 accordance with written guidelines or procedures previously established by a  
15 pharmacy and therapeutics committee of a hospital ~~and approved by the hospital's~~  
16 ~~medical staff and use of the therapeutic alternate drug selection has been approved~~  
17 ~~for a patient during the period of the patient's stay within the hospital by any of the~~  
18 ~~following:~~ or by a skilled nursing facility or by an intermediate care facility for  
19 persons with mental retardation, as defined in s. 46.278 (1m) (am).

20 **\*-1404/1.2\* SECTION 3246.** 450.01 (16) (h) 1. of the statutes is repealed.

21 **\*-1404/1.3\* SECTION 3247.** 450.01 (16) (h) 2. of the statutes is repealed.

22 **\*-1272/P4.13\* SECTION 3248.** 452.01 (1s) of the statutes is amended to read:

23 452.01 (1s) "Board" means real estate examining board.

24 **\*-1272/P4.14\* SECTION 3249.** 452.025 (1) (a) of the statutes is amended to  
25 read:

1           452.025 (1) (a) A person desiring to act as a time-share salesperson shall  
2 submit to the ~~department~~ board an application for a certificate of registration.

3           **\*-1272/P4.15\* SECTION 3250.** 452.025 (1) (b) (intro.) of the statutes is amended  
4 to read:

5           452.025 (1) (b) The application for registration as a time-share salesperson  
6 shall be in the form prescribed by the ~~department~~ board and shall include all of the  
7 following:

8           **\*-1272/P4.16\* SECTION 3251.** 452.025 (1) (b) 4. of the statutes is amended to  
9 read:

10           452.025 (1) (b) 4. Any other information ~~which~~ that the ~~department~~ board  
11 reasonably requires to enable it to determine the competency of the person to  
12 transact business as a time-share salesperson in a manner ~~which~~ that safeguards  
13 the interests of the public.

14           **\*-1272/P4.17\* SECTION 3252.** 452.025 (3) (b) 2. (intro.) of the statutes is  
15 amended to read:

16           452.025 (3) (b) 2. A time-share salesperson registered under this section may  
17 complete a form purchase agreement or offer to purchase, if the form purchase  
18 agreement or offer to purchase has been approved by the ~~department~~ board and  
19 includes only the following:

20           **\*-1272/P4.18\* SECTION 3253.** 452.025 (4) of the statutes is amended to read:

21           452.025 (4) A time-share salesperson registered under this section may apply  
22 at any time to transfer employment to another licensed broker by submitting to the  
23 ~~department~~ board an application in the form prescribed by the ~~department~~ board  
24 and the transfer fee specified in s. 440.05 (7).

1           **\*-1272/P4.19\* SECTION 3254.** 452.025 (5) (a) of the statutes is amended to  
2 read:

3           452.025 (5) (a) The renewal date for certificates of registration granted by the  
4 ~~department board~~ under this section is specified under s. 440.08 (2) (a).

5           **\*-1272/P4.20\* SECTION 3255.** 452.03 of the statutes is amended to read:

6           **452.03 Brokers and salespersons licensed.** No person may engage in or  
7 follow the business or occupation of, or advertise or hold himself or herself out as, or  
8 act temporarily or otherwise as a broker or salesperson without a license. ~~Licenses~~  
9 ~~shall be granted~~ The board may grant a license only to persons a person who are is  
10 competent to transact such businesses in a manner ~~which~~ that safeguards the  
11 interests of the public, and only after satisfactory proof of the person's competence  
12 has been presented to the ~~department board~~.

13           **\*-1272/P4.21\* SECTION 3256.** 452.04 of the statutes is repealed.

14           **\*-1272/P4.22\* SECTION 3257.** 452.05 (title) and (1) (intro.) of the statutes are  
15 amended to read:

16           **452.05 (title) Duties and powers of department board.** (1) (intro.) In  
17 addition to the other duties and responsibilities of the ~~department board~~ under this  
18 chapter, the ~~department board~~ shall advise the secretary on matters relating to real  
19 estate practice and shall:

20           **\*-1272/P4.23\* SECTION 3258.** 452.05 (1) (b) of the statutes is amended to read:

21           452.05 (1) (b) Approve forms for use in real estate practice. The board may  
22 conduct public hearings on matters relating to the approval of forms used in real  
23 estate practice.

24           **\*-1272/P4.24\* SECTION 3259.** 452.05 (1) (c) of the statutes is amended to read:

1           452.05 (1) (c) After consultation with the council on real estate curriculum and  
2           examinations ~~and subject to the procedure under s. 452.07~~, promulgate rules  
3           establishing criteria for the approval of educational programs and training sessions  
4           under s. 452.09 (2) and approve such programs and sessions in accordance with the  
5           established criteria.

6           **\*-1272/P4.25\* SECTION 3260.** 452.05 (1) (d) of the statutes is amended to read:

7           452.05 (1) (d) After consultation with the council on real estate curriculum and  
8           examinations, ~~the board~~, brokers and salespersons licensed under this chapter, and  
9           interested members of the public, establish criteria for the approval of continuing  
10          educational programs and courses in real estate related subjects required for  
11          renewal under s. 452.12 (5) (c) 1.

12          **\*-1272/P4.26\* SECTION 3261.** 452.05 (1m) (b) of the statutes is amended to  
13          read:

14          452.05 (1m) (b) In preparing the form for the offer to purchase commercial real  
15          property under sub. (1) (b), the ~~department~~ board shall include a statement that the  
16          seller represents to the buyer that the seller has no notice or knowledge that the  
17          commercial real property is a historic building.

18          **\*-1272/P4.27\* SECTION 3262.** 452.05 (2) of the statutes is amended to read:

19          452.05 (2) The ~~department~~ board may prepare letters and bulletins and  
20          conduct clinics disseminating information to its licensees.

21          **\*-1272/P4.28\* SECTION 3263.** 452.05 (3) of the statutes is amended to read:

22          452.05 (3) The ~~department~~ board may, ~~after consultation with the board~~, enter  
23          into reciprocal agreements with officials of other states or territories of the United  
24          States for licensing brokers and salespersons and grant licenses to applicants who

are licensed as brokers or salespersons in those states or territories according to the terms of the reciprocal agreements.

**\*-1272/P4.29\* SECTION 3264.** 452.06 (2) (intro.) and (b) of the statutes are consolidated, renumbered 452.06 (2) and amended to read:

452.06 (2) The council on real estate curriculum and examinations shall ~~do all of the following:~~ (b) Periodically, but not less than annually, review subjects covered on examinations for licensure under this chapter and the qualifications for instructors of and performance evaluations for educational and continuing educational programs, training sessions, and courses approved under this chapter.

**\*-1272/P4.30\* SECTION 3265.** 452.06 (2) (a) of the statutes is repealed.

**\*-1272/P4.31\* SECTION 3266.** 452.07 (title) of the statutes is amended to read:

**452.07 (title) Rules; review of rules.**

**\*-1272/P4.32\* SECTION 3267.** 452.07 (1) of the statutes is amended to read:

452.07 (1) The department board shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.

**\*-1272/P4.33\* SECTION 3268.** 452.07 (1m) of the statutes is amended to read:

452.07 (1m) The department board shall promulgate rules that specify the supervisory duties of brokers under s. 452.12 (3).

**\*-1272/P4.34\* SECTION 3269.** 452.07 (2) to (7) of the statutes are repealed.

**\*-1272/P4.35\* SECTION 3270.** 452.09 (1) (intro.) of the statutes is amended to read:

452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker or salesperson shall submit to the department board an application for a license. The application shall be in such form as the department board prescribes and shall include the following:

## SECTION 3271

**\*-1272/P4.36\* SECTION 3271.** 452.09 (1) (e) of the statutes is amended to read:

452.09 (1) (e) Any other information ~~which~~ that the ~~department~~ board may reasonably require to enable it to determine the competency of each applicant, including each business representative of the business entity, to transact the business of a broker or salesperson in a manner ~~which~~ that safeguards the interests of the public.

**\*-1272/P4.37\* SECTION 3272.** 452.09 (2) (a) of the statutes is amended to read:

452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3), each applicant for a salesperson's license shall submit to the ~~department~~ board evidence satisfactory to the ~~department~~ board of successful completion of educational programs approved for this purpose under s. 452.05 (1) (c). The ~~department~~ board may waive the requirement under this paragraph upon proof that the applicant has received 10 academic credits in real estate or real estate related law courses from an accredited institution of higher education.

**\*-1272/P4.38\* SECTION 3273.** 452.09 (2) (c) 2. of the statutes is amended to read:

452.09 (2) (c) 2. Submit to the ~~department~~ board evidence satisfactory to the ~~department~~ board of successful completion of educational programs in business management approved for this purpose under s. 452.05 (1) (c). No educational programs applied to satisfy the requirement under subd. 1. may be applied to satisfy the requirement under this subdivision.

**\*-1272/P4.39\* SECTION 3274.** 452.09 (2) (d) of the statutes is amended to read:

452.09 (2) (d) The ~~department~~ board may waive the requirements under par. (c) upon proof that the applicant has received 20 academic credits in real estate or



1 real estate related law courses from an accredited institution of higher education or  
2 that the applicant is licensed to practice law in this state.

3 **\*-1272/P4.40\* SECTION 3275.** 452.09 (3) (a) of the statutes is amended to read:

4 452.09 (3) (a) In determining competency, the ~~department~~ board shall require  
5 proof that the applicant for a broker's or salesperson's license has a fair knowledge  
6 of the English language; a fair understanding of the general purposes and general  
7 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel  
8 mortgages, and conditional sales contracts; and a general and fair understanding  
9 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The  
10 board shall deny a license to an applicant receiving a failing grade, as established by  
11 rules of the ~~department~~ board, on any examination given under this section ~~shall be~~  
12 ~~denied a license~~, but any applicant may review his or her examination results in a  
13 manner established by rules of the ~~department~~ board.

14 **\*-1272/P4.41\* SECTION 3276.** 452.09 (3) (b) of the statutes is amended to read:

15 452.09 (3) (b) The ~~department~~ board shall determine competency under par.  
16 (a) by means of only an oral examination for any applicant who is unable to write  
17 because of a physical handicap.

18 **\*-1272/P4.42\* SECTION 3277.** 452.09 (3) (d) of the statutes is amended to read:

19 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),  
20 the ~~department~~ board may not grant a broker's license to an applicant who does not  
21 hold a salesperson's license unless the applicant passes the salesperson's  
22 examination and the broker's examination.

23 **\*-1272/P4.43\* SECTION 3278.** 452.09 (5) of the statutes is amended to read:

24 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18  
25 years of age or over may, upon application filed in accordance with sub. (1), be

1 indentured to a licensed resident broker in accordance with rules promulgated by the  
2 ~~department~~ board. These rules shall be promulgated so as to protect the public and  
3 may limit the real estate sales and brokerage activity of the apprentice. The  
4 ~~department~~ board may require an apprentice to take a preliminary examination  
5 covering general knowledge and may prescribe the character and extent of his or her  
6 work during apprenticeship. The ~~department~~ board may issue a temporary  
7 salesperson's permit to the individual for a period not to exceed one year upon  
8 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

9 **\*-1272/P4.44\* SECTION 3279.** 452.10 (2) (b) of the statutes is amended to read:

10 452.10 (2) (b) Unless an application is withdrawn in writing before the  
11 ~~department~~ board has made any investigation, no part of the fee shall be returned.

12 **\*-1272/P4.45\* SECTION 3280.** 452.10 (4) (a) of the statutes is amended to read:

13 452.10 (4) (a) Any licensed salesperson or broker may transfer to the  
14 employment of a licensed broker by first paying the transfer fee specified in s. 440.05  
15 (7) and filing a transfer form with the ~~department~~ board.

16 **\*-1272/P4.46\* SECTION 3281.** 452.10 (6) of the statutes is amended to read:

17 452.10 (6) In the case of applications for renewals of licenses the ~~department~~  
18 board may dispense with such matters contained in s. 452.09 (1) as it deems  
19 unnecessary in view of prior applications.

20 **\*-1272/P4.47\* SECTION 3282.** 452.11 (3) of the statutes is amended to read:

21 452.11 (3) Every nonresident applicant, and every resident licensee who  
22 becomes a nonresident, shall file with the ~~department~~ board an irrevocable consent  
23 that actions may be commenced against the applicant or licensee in the proper court  
24 of any county of the state in which a cause of action arises or in which the plaintiff  
25 resides, by the service of any process or pleading authorized by the laws of this state

1 on the ~~department~~ board or any duly authorized employee. The consent shall  
2 stipulate and agree that such service is valid and binding as due service upon the  
3 applicant or licensee in all courts in this state. The consent shall be duly  
4 acknowledged and, if made by a corporation, shall be authenticated by the corporate  
5 seal.

6 **\*-1272/P4.48\* SECTION 3283.** 452.11 (4) of the statutes is amended to read:

7 452.11 (4) Any process or pleading under this section shall be served in  
8 duplicate upon the ~~department~~ board or its duly authorized employee. One copy  
9 shall be filed with the ~~department~~ board and the other immediately forwarded by  
10 certified mail to the nonresident licensee against whom the process or pleading is  
11 directed at the last address provided to the ~~department~~ board by the nonresident  
12 licensee. No default in any such proceeding or action may be taken unless it appears  
13 by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized  
14 employee that a copy of the process or pleading was mailed to the nonresident  
15 licensee as required in this subsection. No judgment by default may be taken in any  
16 action or proceeding within 20 days after the date of mailing the process or pleading  
17 to the nonresident licensee.

18 **\*-1272/P4.49\* SECTION 3284.** 452.12 (1) of the statutes is amended to read:

19 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the  
20 holder to act as a broker or salesperson, as the case may be, until the applicable  
21 renewal date specified under s. 440.08 (2) (a).

22 **\*-1272/P4.50\* SECTION 3285.** 452.12 (2) (c) of the statutes is amended to read:

23 452.12 (2) (c) Application for a business entity license shall be made on forms  
24 prescribed by the ~~department~~ board, listing the names and addresses of all business  
25 representatives, and shall be accompanied by the initial credential fee determined

1 by the department under s. 440.03 (9) (a). If there is a change in any of the business  
2 representatives, the change shall be reported to the ~~department~~ board, on the same  
3 form, within 30 days after the effective date of the change.

4 **\*-1272/P4.51\* SECTION 3286.** 452.12 (4) of the statutes is amended to read:

5 452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~  
6 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the  
7 register the board maintains under s. 440.035 (4) the names of all brokers and  
8 salespersons whose licenses have been were revoked at any time within the past 2  
9 years prior to the issuance thereof shall be included in the register. The register shall  
10 be available for purchase at cost.

11 **\*-1272/P4.52\* SECTION 3287.** 452.12 (5) (b) of the statutes is amended to read:

12 452.12 (5) (b) If an application for renewal is not filed with the ~~department~~  
13 board on or before the renewal date, the applicant may not engage in any of the  
14 activities covered by the license until the license is renewed or a new license is issued.

15 **\*-1272/P4.53\* SECTION 3288.** 452.12 (5) (c) 2. of the statutes is amended to  
16 read:

17 452.12 (5) (c) 2. Not later than June 30 of each even-numbered year, the  
18 ~~department~~ board shall conduct an examination on those subjects required for  
19 continuing education under s. 452.05 (1) (d). Any broker or salesperson who passes  
20 the examination under this subdivision is not required to comply with subd. 1.

21 **\*-1187/P5.503\* SECTION 3289.** 452.12 (5) (d) of the statutes is created to read:

22 452.12 (5) (d) Annually, the department shall pay to the University of  
23 Wisconsin-Madison \$10 of each renewal fee received under this subsection for  
24 support of the center for urban land economics in the School of Business at the  
25 University of Wisconsin-Madison under s. 37.25 (34).

1           **\*-1272/P4.54\* SECTION 3290.** 452.12 (6) (b) of the statutes is amended to read:

2           452.12 (6) (b) Unless an applicant's license has been revoked or suspended  
3 under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a)  
4 as an inactive licensee upon payment of a \$15 fee.

5           **\*-1272/P4.55\* SECTION 3291.** 452.12 (6) (d) of the statutes is amended to read:

6           452.12 (6) (d) If an inactive licensee files an application for reinstatement  
7 before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's  
8 original license in accordance with the requirements for late renewal under s. 440.08  
9 (3).

10           **\*-1272/P4.56\* SECTION 3292.** 452.12 (6) (e) (intro.) of the statutes is amended  
11 to read:

12           452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and  
13 440.13 (2) (a) ~~(c)~~, the ~~department~~ board shall reinstate an inactive licensee's original  
14 license as follows:

15           **\*-1272/P4.57\* SECTION 3293.** 452.12 (6) (e) 1. of the statutes is amended to  
16 read:

17           452.12 (6) (e) 1. If a person has registered as an inactive licensee before  
18 November 1, 1990, the ~~department~~ board shall reinstate the person's original license  
19 if that person applies to the ~~department~~ board for reinstatement of his or her original  
20 license, pays the fee specified under s. 440.05 (1), passes an examination under s.  
21 452.09 (3), and completes the education requirements established by the ~~department~~  
22 board under par. (f).

23           **\*-1272/P4.58\* SECTION 3294.** 452.12 (6) (e) 2. of the statutes is amended to  
24 read:

1           452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after  
2 November 1, 1990, the ~~department~~ board shall reinstate the person's original license  
3 if that person applies to the ~~department~~ board for reinstatement of his or her original  
4 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)  
5 for the original license and completes 12 hours of continuing education as established  
6 by the ~~department~~ board under par. (f). A person who is eligible for reinstatement  
7 of his or her original license under this subdivision shall complete the requirements  
8 for reinstatement under this subdivision before January 1, 1996, or within 5 years  
9 after the date on which the person registered as an inactive licensee, whichever is  
10 later.

11           **\*-1272/P4.59\* SECTION 3295.** 452.12 (6) (e) 3. of the statutes is amended to  
12 read:

13           452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her  
14 original license under subd. 2. does not complete the requirements for reinstatement  
15 within the time specified under subd. 2., the ~~department~~ board shall reinstate the  
16 original license of that person if he or she meets the requirements specified under  
17 subd. 1.

18           **\*-1272/P4.60\* SECTION 3296.** 452.12 (6) (f) of the statutes is amended to read:  
19           452.12 (6) (f) The ~~department~~ board shall promulgate rules establishing the  
20 education requirements that applicants for reinstatement of original licenses under  
21 par. (e) must satisfy.

22           **\*-1465/P4.1076\* \*-0808/2.469\* SECTION 3297.** 452.13 (2) (b) 1. of the statutes  
23 is amended to read:

1           452.13 (2) (b) 1. Register with the department of ~~regulation and licensing~~  
2     safety and professional services the name and address of the depository institution  
3     and the number of the interest-bearing common trust account.

4           **\*-1465/P4.1077\* \*-0808/2.470\* SECTION 3298.** 452.13 (2) (b) 2. of the statutes  
5     is amended to read:

6           452.13 (2) (b) 2. Notify the department of ~~regulation and licensing~~ safety and  
7     professional services when any of the information required under subd. 1. is  
8     changed.

9           **\*-1465/P4.1078\* \*-0805/P2.32\* SECTION 3299.** 452.13 (2) (b) 3. of the statutes  
10    is amended to read:

11          452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing~~ safety and  
12     professional services with a letter authorizing the department of ~~regulation and~~  
13     ~~licensing~~ safety and professional services and the ~~department of commerce~~  
14     Wisconsin Housing and Economic Development Authority to examine and audit the  
15     interest-bearing common trust account whenever the department of ~~regulation and~~  
16     ~~licensing~~ safety and professional services or the ~~department of commerce~~ Wisconsin  
17     Housing and Economic Development Authority considers it necessary.

18          **\*-1465/P4.1079\* \*-0805/P2.33\* SECTION 3300.** 452.13 (2) (bm) of the statutes  
19     is amended to read:

20          452.13 (2) (bm) The department of ~~regulation and licensing~~ safety and  
21     professional services shall forward to the ~~department of commerce~~ Wisconsin  
22     Housing and Economic Development Authority the information and documents  
23     furnished under par. (b).

24          **\*-1465/P4.1080\* \*-0805/P2.34\* SECTION 3301.** 452.13 (2) (d) of the statutes  
25     is amended to read:

1           452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic  
2           Development Authority is the beneficial owner of the interest accruing to the  
3           interest-bearing common trust account, minus any service charges or fees.

4           **\*-1465/P4.1081\* \*-0805/P2.35\* SECTION 3302.** 452.13 (2) (e) 1. of the statutes  
5           is amended to read:

6           452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~  
7           ~~commerce~~ Wisconsin Housing and Economic Development Authority the total  
8           interest or dividends, minus service charges or fees, earned on the average daily  
9           balance in the interest-bearing common trust account during the 12 months ending  
10          on the previous December 31. A depository institution is not required to remit any  
11          amount if the total interest or dividends for that period is less than \$10 before any  
12          deduction for service charges or fees.

13          **\*-1465/P4.1082\* \*-0805/P2.36\* SECTION 3303.** 452.13 (2) (e) 2. of the statutes  
14          is amended to read:

15          452.13 (2) (e) 2. When the interest remittance is sent, furnish to the  
16          ~~department of commerce~~ Wisconsin Housing and Economic Development Authority  
17          and to the broker maintaining the interest-bearing common trust account a  
18          statement that includes the name of the broker for whose account the remittance is  
19          made, the rate of interest applied, the amount of service charges or fees deducted,  
20          if any, and the account balance for the period that the statement covers.

21          **\*-1465/P4.1083\* \*-0805/P2.37\* SECTION 3304.** 452.13 (2) (f) 2. of the statutes  
22          is amended to read:

23          452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing  
24          common trust account against the ~~department of commerce~~ Wisconsin Housing and  
25          Economic Development Authority.



1           **\*-1465/P4.1084\* \*-0805/P2.38\* SECTION 3305.** 452.13 (2) (f) 3. of the statutes  
2 is amended to read:

3           452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by  
4 an interest-bearing common trust account, and if a balance remains, may deduct the  
5 remaining charge or fee from the interest earned on any other interest-bearing  
6 common trust account maintained in that depository institution, before remitting  
7 interest to the ~~department of commerce~~ Wisconsin Housing and Economic  
8 Development Authority.

9           **\*-1465/P4.1085\* \*-0805/P2.39\* SECTION 3306.** 452.13 (5) of the statutes is  
10 amended to read:

11           452.13 (5) RULES. In consultation with the ~~department of regulation and~~  
12 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic  
13 Development Authority, the department of safety and professional services shall  
14 promulgate rules necessary to administer this section.

15           **\*-1272/P4.61\* SECTION 3307.** 452.14 (1) of the statutes is amended to read:

16           452.14 (1) The ~~department~~ board shall, upon motion of the ~~board~~ secretary or  
17 his or her designee or upon its own determination, conduct investigations and, as  
18 appropriate, may hold hearings and make findings, if the board or the department  
19 receives credible information that a broker, salesperson, or time-share salesperson  
20 has violated this chapter or any rule promulgated under this chapter.

21           **\*-1272/P4.62\* SECTION 3308.** 452.14 (2) of the statutes is amended to read:

22           452.14 (2) ~~The department shall present the findings of any investigation of~~  
23 ~~a licensee or registrant to the board for its consideration. The department shall upon~~  
24 ~~motion of the board, and~~ board may, ~~upon its own determination,~~ commence  
25 disciplinary proceedings on any matter under investigation concerning a licensee or

## SECTION 3308

1 registrant. No investigation of a licensee or registrant may be closed without motion  
2 of the board.

3 **\*-1272/P4.63\* SECTION 3309.** 452.14 (3) (L) of the statutes is amended to read:  
4 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated  
5 under this chapter;

6 **\*-1272/P4.64\* SECTION 3310.** 452.17 (2) of the statutes is amended to read:  
7 452.17 (2) Any person who engages in or follows the business or occupation of,  
8 or advertises or holds himself or herself out as or acts temporarily or otherwise as,  
9 a time-share salesperson in this state without being registered with the department  
10 board shall be prosecuted by the district attorney in the county where the violation  
11 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less  
12 than 10 days nor more than 6 months or both.

13 **\*-1272/P4.65\* SECTION 3311.** 452.22 (2) of the statutes is amended to read:  
14 452.22 (2) The certificate of the ~~secretary~~ chairperson of the board or his or her  
15 designee to the effect that a specified individual or business entity is not or was not  
16 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's  
17 license or registration, or that a specified license or registration was not in effect on  
18 a date specified, or as to the issuance, limitation, suspension, or revocation of any  
19 license or registration or the reprimand of any license or registration holder thereof,  
20 the filing or withdrawal of any application or its existence or nonexistence, is prima  
21 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any  
22 action or proceedings.

23 **\*-1465/P4.1086\* \*-0808/2.474\* SECTION 3312.** 462.01 (3) of the statutes is  
24 amended to read:

1 462.01 (3) "Department" means the department of ~~regulation and licensing~~  
2 safety and professional services.

3 **\*-1465/P4.1087\* \*-0808/2.475\* SECTION 3313.** Chapter 490 of the statutes is  
4 created to read:

5 **CHAPTER 490**

6 **BUSINESS ASSISTANCE PROGRAMS**

7 **\*-1465/P4.1088\* \*-0808/2.476\* SECTION 3314.** 490.01 of the statutes is  
8 created to read: js

9 **490.01 Definitions.** In this chapter:

10 (1) "Department" means the department of safety and professional services.

11 (2) "Secretary" means the secretary of safety and professional services.

12 **\*-0194/3.1\* SECTION 3315.** 551.403 (2) (a) 2. of the statutes is amended to read:

13 551.403 (2) (a) 2. Institutional investors, except any institutional investor  
14 described in s. 551.102 (11) (k), (m), or (o).

15 **\*-0194/3.2\* SECTION 3316.** 551.403 (2) (a) 2m. of the statutes is amended to  
16 read:

17 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2)~~, or  
18 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

19 **\*-1465/P4.1089\* \*-1059/P3.585\* SECTION 3317.** Chapter 560 (title) of the  
20 statutes is repealed.

21 **\*-1465/P4.1090\* \*-1059/P3.586\* SECTION 3318.** Subchapter I (title) of  
22 chapter 560 [precedes 560.001] of the statutes is repealed.

23 **\*-1465/P4.1091\* \*-1059/P3.587\* SECTION 3319.** 560.001 of the statutes is  
24 repealed.

**SECTION 3320**

1           **\*-1465/P4.1092\* \*-1059/P3.588\* SECTION 3320.** 560.01 (title), (1) and (2) of  
2 the statutes are repealed.

3           **\*-1465/P4.1093\* \*-1059/P3.589\* SECTION 3321.** 560.01 (3) of the statutes is  
4 renumbered 238.04 (14) and amended to read:

5           238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into  
6 agreements regarding compensation, space, and other administrative matters as are  
7 necessary to operate departmental offices in other states and foreign countries. Such  
8 agreements shall be subject to the approval of the secretary of administration.

9           **\*-1465/P4.1094\* \*-1059/P3.590\* SECTION 3322.** 560.02 of the statutes is  
10 repealed.

11           **\*-1465/P4.1095\* \*-1059/P3.591\* SECTION 3323.** 560.03 (title) of the statutes  
12 is repealed.

13           **\*-1465/P4.1096\* \*-1059/P3.592\* SECTION 3324.** 560.03 (intro.) of the  
14 statutes is repealed.

15           **\*-1465/P4.1097\* \*-1059/P3.593\* SECTION 3325.** 560.03 (1) of the statutes is  
16 repealed.

      \*\*\*\*NOTE: This is reconciled s. 560.03 (1). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0157/3 and LRB-1465/P3.

17           **\*-1465/P4.1098\* \*-1059/P3.594\* SECTION 3326.** 560.03 (2) of the statutes is  
18 repealed.

19           **\*-1465/P4.1099\* \*-1059/P3.595\* SECTION 3327.** 560.03 (3) of the statutes is  
20 repealed.

21           **\*-1465/P4.1100\* \*-1059/P3.596\* SECTION 3328.** 560.03 (4) of the statutes is  
22 repealed.

1           **\*-1465/P4.1101\* \*-1059/P3.597\* SECTION 3329.** 560.03 (4m) of the statutes  
2 is repealed.

3           **\*-1465/P4.1102\* \*-1059/P3.598\* SECTION 3330.** 560.03 (5) of the statutes is  
4 repealed.

5           **\*-1465/P4.1103\* \*-1059/P3.599\* SECTION 3331.** 560.03 (6) of the statutes is  
6 repealed.

7           **\*-1465/P4.1104\* \*-1059/P3.600\* SECTION 3332.** 560.03 (8) of the statutes is  
8 repealed.

9           **\*-1465/P4.1105\* \*-1059/P3.601\* SECTION 3333.** 560.03 (9) of the statutes is  
10 repealed.

11           **\*-1465/P4.1106\* \*-1059/P3.602\* SECTION 3334.** 560.03 (10) of the statutes is  
12 repealed.

13           **\*-1465/P4.1107\* \*-1059/P3.603\* SECTION 3335.** 560.03 (11) of the statutes is  
14 repealed.

15           **\*-1465/P4.1108\* \*-1059/P3.604\* SECTION 3336.** 560.03 (16) of the statutes is  
16 repealed.

17           **\*-1465/P4.1109\* \*-1059/P3.605\* SECTION 3337.** 560.03 (17) of the statutes is  
18 renumbered 238.25 and amended to read:

19           **238.25 Assistance to loan recipients.** Assist The corporation shall assist  
20 new businesses and small businesses receiving economic development loans under  
21 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic  
22 Development Authority in locating sources of venture capital and in obtaining the  
23 state and federal licenses and permits necessary for business operations.

24           **\*-1465/P4.1110\* \*-1059/P3.606\* SECTION 3338.** 560.03 (18) of the statutes is  
25 repealed.

\*\*\*\*NOTE: This is reconciled s. 560.03 (18). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

1       \*-1465/P4.1111\* \*-1059/P3.607\* SECTION 3339. 560.03 (19) of the statutes is  
2 repealed.

3       \*-1465/P4.1112\* \*-1059/P3.608\* SECTION 3340. 560.03 (20) of the statutes is  
4 repealed.

5       \*-1465/P4.1113\* \*-1059/P3.609\* SECTION 3341. 560.03 (21) of the statutes is  
6 repealed.

7       \*-1465/P4.1114\* \*-1059/P3.610\* SECTION 3342. 560.03 (22) of the statutes is  
8 repealed.

9       \*-1465/P4.1115\* \*-1059/P3.611\* SECTION 3343. 560.03 (23) of the statutes is  
10 repealed.

11       \*-1465/P4.1116\* \*-1059/P3.612\* SECTION 3344. 560.03 (25) of the statutes is  
12 repealed.

\*\*\*\*NOTE: This is reconciled s. 560.03 (25). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

13       \*-1465/P4.1117\* \*-1059/P3.613\* SECTION 3345. 560.03 (26) of the statutes is  
14 repealed.

\*\*\*\*NOTE: This is reconciled s. 560.03 (26). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

15       \*-1465/P4.1118\* \*-1059/P3.614\* SECTION 3346. 560.031 of the statutes is  
16 repealed.

17       \*-1465/P4.1119\* \*-1059/P3.615\* SECTION 3347. 560.032 of the statutes is  
18 renumbered 238.10 and amended to read:

19       **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**  
20 The department, ~~by rule,~~ corporation shall establish under 26 USC 146 and  
21 administer a system for the allocation of the volume cap on the issuance of private

1 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined  
2 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and  
3 among this state, the Wisconsin Health and Educational Facilities Authority, the  
4 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic  
5 Development Authority.

6 (2) AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year,  
7 the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation  
8 system established for that year under sub. (1), except that any revision under this  
9 subsection does not apply to any allocation under which the recipient of that  
10 allocation has adopted a resolution authorizing the issuance of a private activity  
11 bond, as defined in 26 USC 141 (a).

12 (3) CONDITIONS. The ~~department~~ corporation may establish, ~~by rule~~, any  
13 procedure for, and place any condition upon, the granting of an allocation under this  
14 section which the ~~department~~ corporation deems to be in the best interest of the state  
15 including, ~~but not limited to~~, a requirement that a cash deposit, at a rate established  
16 by the ~~department in the rules~~ corporation, be a condition for an allocation.

17 (4) CERTIFICATION. If the ~~secretary~~ corporation receives notice of the issuance  
18 of a bond under an allocation under subs. (1) to (3), the ~~secretary~~ corporation shall  
19 certify that that bond meets the requirements of 26 USC 146.

20 **\*-1465/P4.1120\* \*-1059/P3.616\* SECTION 3348.** 560.033 of the statutes is  
21 repealed.

22 **\*-1465/P4.1121\* \*-0808/2.477\* SECTION 3349.** 560.0335 of the statutes is  
23 renumbered 490.02.

## SECTION 3350

1           **\*-1465/P4.1122\* \*-1059/P3.617\* SECTION 3350.** 560.034 of the statutes is  
2           renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are  
3           amended to read:

4           238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be  
5           used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation  
6           shall include on the forms a requirement for information on the number of jobs the  
7           person submitting the notice expects to be eliminated, created, or maintained on the  
8           project site and elsewhere in this state by the project which is the subject of the  
9           notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.  
10          66.1103 (4m) (b) and 234.65 (3r).

11          (2) If the ~~department~~ corporation receives a notice under s. 66.1103 (4m) (a),  
12          the ~~department~~ corporation shall estimate, no later than 20 days after receipt of the  
13          notice, whether the project ~~which~~ that is the subject of the notice is expected to  
14          eliminate, create, or maintain jobs on the project site and elsewhere in this state and  
15          the net number of jobs expected to be eliminated, created, or maintained as a result  
16          of the project.

17          (3) If the ~~department~~ corporation receives a notice under s. 234.65 (3) (a), the  
18          ~~department~~ corporation shall estimate, no later than 20 days after receipt of the  
19          notice, whether the project which is the subject of the notice is expected to eliminate,  
20          create, or maintain jobs on the project site and elsewhere in this state and the net  
21          number of jobs expected to be eliminated, created, or maintained as a result of the  
22          project.

23          (5) (intro.) The ~~department~~ corporation shall issue an estimate made:

24          **\*-1465/P4.1123\* \*-0808/2.478\* SECTION 3351.** 560.035 of the statutes is  
25          renumbered 490.03.



1           **\*-1465/P4.1124\* \*-0808/2.479\* SECTION 3352.** 560.036 of the statutes is  
2           renumbered 490.04.

3           **\*-1465/P4.1125\* \*-0808/2.480\* SECTION 3353.** 560.037 of the statutes is  
4           renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is  
5           amended to read:

6           490.06 (1) (intro.) Subject to sub. (3), the department may make grants from  
7           the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative  
8           corporation to fund its operating costs if all of the following apply:

9           **\*-1465/P4.1126\* \*-1059/P3.619\* SECTION 3354.** 560.04 of the statutes is  
10          repealed.

11          **\*-1465/P4.1127\* \*-1059/P3.620\* SECTION 3355.** 560.045 of the statutes is  
12          repealed.

13          **\*-1465/P4.1128\* \*-1059/P3.621\* SECTION 3356.** 560.047 of the statutes is  
14          repealed.

15          **\*-1465/P4.1129\* \*-1059/P3.622\* SECTION 3357.** 560.05 of the statutes is  
16          repealed.

17          **\*-1465/P4.1130\* \*-1059/P3.623\* SECTION 3358.** 560.07 of the statutes is  
18          repealed.

19          **\*-1465/P4.1131\* \*-1059/P3.624\* SECTION 3359.** 560.075 of the statutes is  
20          renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

21          238.12 (2) The ~~department~~ corporation may not award a grant or loan under  
22          this chapter to a person or certify a person to receive tax benefits unless the  
23          ~~department~~ corporation enters into an agreement with the person that requires the  
24          person to repay the grant, loan, or tax benefits if, within 5 years after receiving the  
25          grant or loan or being certified to receive tax benefits, the person ceases to conduct

1 in this state the economic activity for which the person received the grant or loan or  
2 for which the person was certified to receive tax benefits and commences  
3 substantially the same economic activity outside this state.

4 **\*-1465/P4.1132\* \*-1059/P3.625\* SECTION 3360.** 560.08 (1), (2) (intro.), (a),  
5 (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

6 **\*-1465/P4.1133\* \*-1059/P3.626\* SECTION 3361.** 560.08 (2) (m) of the statutes  
7 is renumbered 238.26 and amended to read:

8 **238.26 Report to investment board.** No later than September 30 of each  
9 even-numbered year, the corporation shall submit to the investment board a report  
10 describing the types of investments in businesses in this state ~~which~~ that will have  
11 the greatest likelihood of enhancing economic development in this state.

12 **\*-1465/P4.1134\* \*-1059/P3.627\* SECTION 3362.** 560.081 of the statutes is  
13 repealed.

14 **\*-1465/P4.1135\* \*-1059/P3.628\* SECTION 3363.** 560.082 of the statutes is  
15 repealed.

16 **\*-1465/P4.1136\* \*-1059/P3.629\* SECTION 3364.** 560.09 of the statutes is  
17 repealed.

18 **\*-1465/P4.1137\* \*-1059/P3.630\* SECTION 3365.** 560.097 of the statutes is  
19 renumbered 238.15 and amended to read:

20 **238.15 Notification of position openings; compliance.** The department  
21 corporation shall monitor compliance with the position-opening notification  
22 requirements under ss. 66.1103 (6m) and 106.16.

23 **\*-1465/P4.1138\* \*-1059/P3.631\* SECTION 3366.** 560.11 of the statutes is  
24 repealed.

1           **\*-1465/P4.1139\* SECTION 3367.** 560.125 (title) and (1) to (3) of the statutes are  
2           renumbered 101.45 (title) and (1) to (3).

          \*\*\*\*NOTE: This is reconciled s. 560.125 (title) and (1) to (3). This SECTION has been  
          affected by drafts with the following LRB numbers: -0200, -0201, -1465.

3           **\*-1465/P4.1140\* SECTION 3368.** 560.125 (4) (a) to (e) of the statutes are  
4           renumbered 101.45 (4) (a) to (e), and 101.45 (4) (d) of the statutes, as renumbered,  
5           is amended to read:

6           101.45 (4) (d) In any fiscal year, the department may not pay to any one  
7           applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~  
8           20.165 (2) (sm) for the fiscal year.

          \*\*\*\*NOTE: This is reconciled s. 560.125 (4) (a) to (e). This SECTION has been affected  
          by drafts with the following LRB numbers: -0200, -0201, -1465.

9           **\*-1465/P4.1141\* SECTION 3369.** 560.125 (4) (f) and (g) of the statutes are  
10          repealed.

          \*\*\*\*NOTE: This is reconciled s. 560.125 (4) (f) and (g). This SECTION has been affected  
          by drafts with the following LRB numbers: -0200, -0201, -1465.

11          **\*-1465/P4.1142\* SECTION 3370.** 560.125 (5) to (6) of the statutes are  
12          renumbered 101.45 (5) to (6).

          \*\*\*\*NOTE: This is reconciled s. 560.125 (5) to (6). This SECTION has been affected  
          by drafts with the following LRB numbers: -0200, -0201, -1465.

13          **\*-1465/P4.1143\* \*-1059/P3.632\* SECTION 3371.** 560.126 of the statutes is  
14          repealed.

          \*\*\*\*NOTE: This is reconciled s. 560.126. This SECTION has been affected by drafts  
          with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

15          **\*-1465/P4.1144\* \*-1059/P3.633\* SECTION 3372.** 560.128 of the statutes is  
16          repealed.

17          **\*-1465/P4.1145\* \*-1059/P3.634\* SECTION 3373.** 560.13 (1), (2), (3), (5) and  
18          (6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2)  
19          (a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

1           238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~  
2 ~~s. 20.143 (1) (gm) the department~~ The corporation may make a grant to a person if  
3 all of the following apply:

4           (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.  
5 Cash contributions may be of private or public funds, ~~excluding funds obtained under~~  
6 ~~the program under s. 560.17 or under any program under subch. II or V of this~~  
7 ~~chapter.~~ In-kind contributions shall be limited to actual remediation services.

8           (3) (intro.) ~~The department~~ corporation may consider the following criteria in  
9 making awards under this section:

10           (f) Any other factors considered by the ~~department~~ corporation to be relevant  
11 to assessing the viability and feasibility of the project.

12           (5) Before the ~~department~~ corporation awards a grant under this section, the  
13 ~~department~~ corporation shall consider the recommendations of the department of  
14 administration and the department of natural resources.

15           \*-1465/P4.1146\* \*-1059/P3.635\* SECTION 3374. 560.13 (4) of the statutes is  
16 repealed.

17           \*-1465/P4.1147\* \*-1059/P3.636\* SECTION 3375. 560.13 (6) of the statutes is  
18 repealed.

19           \*-1465/P4.1148\* \*-1059/P3.637\* SECTION 3376. 560.138 of the statutes is  
20 repealed.

21           \*-1465/P4.1149\* \*-1059/P3.638\* SECTION 3377. 560.139 of the statutes is  
22 repealed.

23           \*-1465/P4.1150\* \*-1059/P3.639\* SECTION 3378. 560.145 of the statutes is  
24 repealed.

1           **\*-1465/P4.1151\* \*-1059/P3.640\* SECTION 3379.** 560.15 of the statutes is  
2 repealed.

      \*\*\*NOTE: This is reconciled s. 560.15. This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

3           **\*-1465/P4.1152\* \*-1059/P3.641\* SECTION 3380.** 560.155 of the statutes is  
4 repealed.

5           **\*-1465/P4.1153\* \*-1059/P3.642\* SECTION 3381.** 560.157 of the statutes is  
6 repealed.

7           **\*-1465/P4.1154\* \*-1059/P3.643\* SECTION 3382.** 560.165 of the statutes is  
8 repealed.

9           **\*-1465/P4.1155\* \*-1059/P3.644\* SECTION 3383.** 560.167 of the statutes is  
10 repealed.

11           **\*-1465/P4.1156\* \*-1059/P3.645\* SECTION 3384.** 560.17 of the statutes is  
12 repealed.

13           **\*-1465/P4.1157\* \*-1059/P3.646\* SECTION 3385.** 560.19 of the statutes is  
14 repealed.

15           **\*-1465/P4.1158\* \*-1059/P3.647\* SECTION 3386.** 560.203 of the statutes is  
16 repealed.

17           **\*-1465/P4.1159\* \*-1059/P3.648\* SECTION 3387.** 560.204 of the statutes is  
18 renumbered 238.14 and amended to read:

19           **238.14 Hardware and software used to maintain medical records. (1)**  
20 The ~~department~~ corporation shall implement a program to certify health care  
21 providers as eligible for the electronic medical records credit under ss. 71.07 (5i),  
22 71.28 (5i), and 71.47 (5i).

(2) If the ~~department~~ corporation certifies a health care provider under sub. (1), the ~~department~~ corporation shall determine the amount of credits to allocate to the health care provider. The total amount of electronic medical records credits allocated to health care providers in any year may not exceed \$10,000,000.

(3) The ~~department~~ corporation shall inform the department of revenue of every health care provider certified under sub. (1) and the amount of credits allocated to the health care provider.

(4) The ~~department~~ corporation, in consultation with the department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

*WLS* (11) \*-1465/P4.1160\* \*-1059/P3.649\* SECTION 3388. 560.205 of the statutes is renumbered 238.15, and 238.15 (1) (intro.), (2), <sup>2 and</sup> (3) (a), (b), <sup>a</sup> and (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are amended to read:

238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation shall implement a program to certify businesses for purposes of s. 71.07 (5d). A business desiring certification shall submit an application to the ~~department~~ corporation in each taxable year for which the business desires certification. The business shall specify in its application the investment amount it wishes to raise and the ~~department~~ corporation may certify the business and determine the amount that qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of the department, a~~ A business may be certified under this subsection, and may maintain such certification, only if the business satisfies all of the following conditions:

(2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation shall implement a program to certify investment fund managers for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring

1 certification shall submit an application to the ~~department~~ corporation. The  
2 investment fund manager shall specify in the application the investment amount  
3 that the manager wishes to raise and the ~~department~~ corporation may certify the  
4 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),  
5 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment  
6 fund manager, the ~~department~~ corporation shall consider the investment fund  
7 manager's experience in managing venture capital funds, the past performance of  
8 investment funds managed by the applicant, the expected level of investment in the  
9 investment fund to be managed by the applicant, and any other relevant factors. The  
10 ~~department~~ corporation may certify only investment fund managers that commit to  
11 consider placing investments in businesses certified under sub. (1).

12 (3) (a) *List of certified businesses and investment fund managers.* The  
13 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)  
14 and investment fund managers certified under sub. (2) and shall permit public access  
15 to the lists through the ~~department's~~ corporation's Internet Web site.

16 (b) *Notification of department of revenue.* The ~~department of commerce~~  
17 corporation shall notify the department of revenue of every certification issued under  
18 sub. subs. (1) and (2) and the date on which any such certification is revoked or  
19 expires.

20 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation  
21 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this  
22 section. The rules shall further define "bona fide angel investment" for purposes of  
23 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under  
24 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.  
25 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,

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2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional \$250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional \$250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also provide that, for calendar years beginning after December 31, 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's investment is kept in a certified business, or with a certified fund manager, for no less than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits under this section that are unused in any calendar year to a person eligible for tax benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

1. The ~~department~~ corporation notifies the joint committee on finance in writing of its proposed reallocation.

2. a. The cochairpersons of the joint committee on finance fail to notify the ~~department~~ corporation, within 14 working days after the date of the ~~department's~~



1 corporation's notification under subd. 1., that the committee has scheduled a meeting  
2 for the purpose of reviewing the proposed reallocation.

3 b. The cochairpersons of the joint committee on finance notify the ~~department~~  
4 corporation that the committee has approved the proposed reallocation.

5 (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28  
6 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person  
7 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III  
8 of ch. 76, if the person receives prior authorization from the investment fund  
9 manager and the manager then notifies the ~~department of commerce~~ corporation  
10 and the department of revenue of the transfer and submits with the notification a  
11 copy of the transfer documents. No person may sell or otherwise transfer a credit as  
12 provided in this paragraph more than once in a 12-month period. The ~~department~~  
13 corporation may charge any person selling or otherwise transferring a credit under  
14 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. The  
15 ~~department shall deposit all fees collected under this paragraph in the appropriation~~  
16 ~~account under s. 20.143 (1) (gm).~~

17 **\*-1465/P4.1161\* \*-1059/P3.650\* SECTION 3389.** 560.2055 (title) and (1) of the  
18 statutes are renumbered 238.16 (title) and (1).

19 **\*-1465/P4.1162\* \*-1059/P3.651\* SECTION 3390.** 560.2055 (2) of the statutes  
20 is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are  
21 amended to read:

22 238.16 (2) (intro.) The ~~department~~ corporation may certify a person to receive  
23 tax benefits under this section if all of the following apply:

24 (b) The person applies under this section and enters into a contract with the  
25 ~~department~~ corporation.

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1           **\*-1465/P4.1163\* \*-1059/P3.652\* SECTION 3391.** 560.2055 (3) (intro.) and (c)  
2 of the statutes are renumbered 238.16 (3) (intro.) and (c) and amended to read:

3           238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.  
4 (2) may receive tax benefits under this section if, in each year for which the person  
5 claims tax benefits under this section, ~~the person increases net employment in the~~  
6 ~~person's business and~~ one of the following apply applies:

7           (c) In a tier I county or municipality or a tier II county or municipality, the  
8 person increases net employment in the person's business and improves the  
9 job-related skills of any eligible employee, trains any eligible employee on the use  
10 of job-related new technologies, or provides job-related training to any eligible  
11 employee whose employment with the person represents the employee's first  
12 full-time job.

13           **\*-1465/P4.1164\* \*-1059/P3.653\* SECTION 3392.** 560.2055 (3) (a) of the  
14 statutes is repealed.

15           **\*-1465/P4.1165\* \*-1059/P3.654\* SECTION 3393.** 560.2055 (3) (b) of the  
16 statutes is repealed.

17           **\*-1465/P4.1166\* \*-1059/P3.655\* SECTION 3394.** 560.2055 (4) (title) and (a) of  
18 the statutes are renumbered 238.16 (4) (title) and (a).

19           **\*-1465/P4.1167\* \*-1059/P3.656\* SECTION 3395.** 560.2055 (4) (b) 1. (intro.) of  
20 the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

21           238.16 (4) (b) 1. The ~~department~~ corporation may award to a person certified  
22 under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10  
23 percent of the wages paid by the person to that employee ~~if that employee earned~~  
24 ~~wages in the year for which the tax benefit is claimed equal to one of the following:~~  
25 or \$10,000, whichever is less.

1           **\*-1465/P4.1168\* \*-1059/P3.657\* SECTION 3396.** 560.2055 (4) (b) 1. a. and b.  
2 of the statutes are repealed.

3           **\*-1465/P4.1169\* \*-1059/P3.658\* SECTION 3397.** 560.2055 (4) (b) 2. and (c) of  
4 the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

5           238.16 (4) (b) 2. The ~~department~~ corporation may award to a person certified  
6 under sub. (2) tax benefits in an amount to be determined by the ~~department by rule~~  
7 corporation for costs incurred by the person to undertake the training activities  
8 described in sub. (3) (c).

9           (c) Subject to a reallocation by the ~~department~~ corporation pursuant to rules  
10 ~~promulgated~~ adopted under s. ~~560.205~~ 238.215 (3) (d), the ~~department~~ corporation  
11 may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

12           **\*-1465/P4.1170\* \*-1059/P3.659\* SECTION 3398.** 560.2055 (5) of the statutes  
13 is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and  
14 1. (intro.), as renumbered, are amended to read:

15           238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~  
16 ~~of commerce~~ corporation shall notify the department of revenue when the  
17 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

18           (b) The ~~department of commerce~~ corporation shall notify the department of  
19 revenue within 30 days of revoking a certification made under sub. (2).

20           (c) The ~~department~~ corporation may require a person to repay any tax benefits  
21 the person claims for a year in which the person failed to maintain employment  
22 required by an agreement under sub. (2) (b).

23           (d) The ~~department~~ corporation shall determine the maximum amount of the  
24 tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business  
25 may claim and shall notify the department of revenue of this amount.

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(e) The ~~department~~ corporation shall annually verify the information submitted to the ~~department~~ corporation by the person claiming tax benefits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

(f) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the implementation and operation of this section, including rules relating to the following:

1. (intro.) The definitions of a tier I county or municipality and a tier II county or municipality. The ~~department~~ corporation may consider all of the following information when establishing the definitions required under this subdivision:

**\*-1465/P4.1171\* \*-1059/P3.660\* SECTION 3399.** 560.2056 of the statutes is renumbered 238.17 and amended to read:

**238.17 Food processing plant and food warehouse investment credit.**

(1) The ~~department of commerce~~ corporation shall implement a program to certify taxpayers as eligible for the food processing plant and food warehouse investment credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

(2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub. (1), the ~~department of commerce~~ corporation shall determine the amount of credits to allocate to that taxpayer. The total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not exceed \$600,000 and the total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The ~~department of commerce~~ corporation shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

1           (4) The ~~department of commerce corporation~~, in consultation with the  
2 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

3           **\*-1465/P4.1172\* \*-1059/P3.661\* SECTION 3400.** 560.206 of the statutes is  
4 renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

5           41.155 (4) The department of ~~commerce~~ tourism, in consultation with the  
6 department of revenue, shall promulgate rules to administer this section.

7           **\*-1465/P4.1173\* \*-1059/P3.662\* SECTION 3401.** 560.207 of the statutes is  
8 renumbered 93.535 and amended to read:

9           **93.535 Dairy manufacturing facility investment credit.** (1) The  
10 department of ~~commerce~~ shall implement a program to certify taxpayers, including  
11 taxpayers who are members of dairy cooperatives, as eligible for the dairy  
12 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47  
13 (3p).

14           (2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the  
15 department of ~~commerce~~ shall determine the amount of credits to allocate to that  
16 taxpayer. The total amount of dairy manufacturing facility investment credits  
17 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total  
18 amount of dairy manufacturing facility investment credits allocated to taxpayers  
19 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal  
20 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing  
21 facility investment credits allocated to taxpayers who are members of dairy  
22 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount  
23 of dairy manufacturing facility investment credits allocated to taxpayers who are  
24 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year  
25 thereafter, may not exceed \$700,000.

1           (3) The department of ~~commerce~~ shall inform the department of revenue of  
2 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
3 taxpayer.

4           (4) The department of ~~commerce~~, in consultation with the department of  
5 revenue, shall promulgate rules to administer this section.

6           \*-1465/P4.1174\* \*-1059/P3.663\* SECTION 3402. 560.208 of the statutes is  
7 renumbered 238.19 and amended to read:

8           **238.19 Meat processing facility investment credit.** (1) The department  
9 of ~~commerce~~ corporation shall implement a program to certify taxpayers as eligible  
10 for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and  
11 71.47 (3r).

12           (2) If the department of ~~commerce~~ corporation certifies a taxpayer under sub.  
13 (1), the department of ~~commerce~~ corporation shall determine the amount of credits  
14 to allocate to that taxpayer. The total amount of meat processing facility investment  
15 credits allocated to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and  
16 the total amount of meat processing facility investment credits allocated to  
17 taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed  
18 \$700,000.

19           (3) The department of ~~commerce~~ corporation shall inform the department of  
20 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
21 to the taxpayer.

22           (4) The department of ~~commerce~~ corporation, in consultation with the  
23 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

1           **\*-1465/P4.1175\* \*-1059/P3.664\* SECTION 3403.** 560.2085 of the statutes is  
2           renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended  
3           to read:

4           238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to  
5           certify qualified new business ventures for purposes of s. 71.05 (24). A business  
6           desiring certification shall submit an application to the ~~department~~ corporation in  
7           each taxable year for which the business desires certification. Subject to sub. (2), a  
8           business may be certified under this subsection, and may maintain such  
9           certification, only if the business is engaged in one of the following:

10          (2) The ~~department~~ corporation may not certify a business under sub. (1) if the  
11          business is engaged in real estate development, insurance, banking, lending,  
12          lobbying, political consultation, professional services provided by attorneys,  
13          accountants, business consultants, physicians, or health care consultants, wholesale  
14          or retail sales, leisure, hospitality, transportation, or construction.

15          (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified  
16          under sub. (1) and shall permit public access to the lists through the ~~department's~~  
17          corporation's Internet Web site.

18          (b) The ~~department of commerce~~ corporation shall notify the department of  
19          revenue of every certification issued under sub. (1) and the date on which a  
20          certification under sub. (1) is revoked or expires.

21           **\*-1465/P4.1176\* \*-1059/P3.665\* SECTION 3404.** 560.209 of the statutes is  
22           renumbered 238.21 and amended to read:

23           **238.21 Woody biomass harvesting and processing credit.** (1) The  
24           ~~department of commerce~~ corporation shall implement a program to certify taxpayers

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1 as eligible for the woody biomass harvesting and processing credit under ss. 71.07  
2 (3rm), 71.28 (3rm), and 71.47 (3rm).

3 (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.  
4 (1), the ~~department of commerce~~ corporation shall determine the amount of credits  
5 to allocate to that taxpayer. The total amount of woody biomass harvesting and  
6 processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000.  
7 In each fiscal year, the ~~department of commerce~~ corporation shall allocate \$450,000  
8 in tax credits to businesses that, individually, have no more than \$5,000,000 in gross  
9 receipts from doing business in this state for the taxable year in which the credit is  
10 claimed.

11 (3) The ~~department of commerce~~ corporation shall inform the department of  
12 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
13 to the taxpayer.

14 (4) The ~~department of commerce~~ corporation, in consultation with the  
15 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

16 \*-1465/P4.1177\* \*-1059/P3.666\* SECTION 3405. 560.21 of the statutes is  
17 repealed.

18 \*-1465/P4.1178\* \*-1059/P3.667\* SECTION 3406. 560.25 of the statutes is  
19 repealed.

20 \*-1465/P4.1179\* \*-1059/P3.668\* SECTION 3407. 560.255 of the statutes is  
21 repealed.

22 \*-1465/P4.1180\* \*-1059/P3.669\* SECTION 3408. 560.27 of the statutes is  
23 repealed.

24 \*-1465/P4.1181\* \*-1059/P3.670\* SECTION 3409. 560.275 of the statutes is  
25 repealed.



1           **\*-1465/P4.1182\* \*-1059/P3.671\* SECTION 3410.** 560.276 of the statutes is  
2 repealed.

3           **\*-1465/P4.1183\* \*-1059/P3.672\* SECTION 3411.** 560.277 of the statutes is  
4 repealed.

5           **\*-1465/P4.1184\* \*-1059/P3.673\* SECTION 3412.** 560.28 of the statutes is  
6 repealed.

7           **\*-1465/P4.1185\* \*-1059/P3.674\* SECTION 3413.** 560.285 of the statutes is  
8 repealed.

9           **\*-1465/P4.1186\* \*-1059/P3.675\* SECTION 3414.** 560.29 of the statutes is  
10 repealed.

11           **\*-1465/P4.1187\* \*-1059/P3.676\* SECTION 3415.** Subchapter II (title) of  
12 chapter 560 [precedes 560.30] of the statutes is repealed.

13           **\*-1465/P4.1188\* \*-1059/P3.677\* SECTION 3416.** 560.30 of the statutes is  
14 repealed.

15           **\*-1465/P4.1189\* \*-1059/P3.678\* SECTION 3417.** 560.301 of the statutes is  
16 repealed.

17           **\*-1465/P4.1190\* \*-1059/P3.679\* SECTION 3418.** 560.302 of the statutes is  
18 repealed.

19           **\*-1465/P4.1191\* \*-1059/P3.680\* SECTION 3419.** 560.303 of the statutes is  
20 repealed.

21           **\*-1465/P4.1192\* \*-1059/P3.681\* SECTION 3420.** 560.304 of the statutes is  
22 repealed.

23           **\*-1465/P4.1193\* \*-1059/P3.682\* SECTION 3421.** 560.305 of the statutes is  
24 repealed.

1           **\*-1465/P4.1194\* \*-1059/P3.683\* SECTION 3422.** Subchapter III (title) of  
2 chapter 560 [precedes 560.41] of the statutes is repealed.

3           **\*-1465/P4.1195\* \*-1059/P3.684\* SECTION 3423.** 560.41 of the statutes is  
4 repealed.

5           **\*-1465/P4.1196\* \*-1059/P3.685\* SECTION 3424.** 560.42 of the statutes is  
6 repealed.

7           **\*-1465/P4.1197\* \*-1059/P3.686\* SECTION 3425.** 560.43 of the statutes is  
8 repealed.

9           **\*-1465/P4.1198\* \*-1059/P3.687\* SECTION 3426.** 560.44 of the statutes is  
10 repealed.

11           **\*-1465/P4.1199\* \*-0808/2.485\* SECTION 3427.** 560.45 of the statutes is  
12 renumbered 490.05, and 490.05 (1), as renumbered, is amended to read:

13           490.05 (1) The department may award a grant from the appropriations under  
14 s. ~~20.143~~ 20.165 (1) ~~(ie), (ig), (im), and (ir)~~ to a business for innovation and research  
15 assistance.

16           **\*-1465/P4.1200\* \*-1059/P3.689\* SECTION 3428.** Subchapter IV (title) of  
17 chapter 560 [precedes 560.51] of the statutes is repealed.

18           **\*-1465/P4.1201\* \*-1059/P3.690\* SECTION 3429.** 560.51 of the statutes is  
19 repealed.

20           **\*-1465/P4.1202\* \*-1059/P3.691\* SECTION 3430.** 560.53 of the statutes is  
21 repealed.

22           **\*-1465/P4.1203\* \*-1059/P3.692\* SECTION 3431.** 560.54 of the statutes is  
23 repealed.

24           **\*-1465/P4.1204\* \*-1059/P3.693\* SECTION 3432.** Subchapter V (title) of  
25 chapter 560 [precedes 560.60] of the statutes is repealed.

1           **\*-1465/P4.1205\* \*-1059/P3.694\* SECTION 3433.** 560.60 of the statutes is  
2 repealed.

3           **\*-1465/P4.1206\* \*-1059/P3.695\* SECTION 3434.** 560.602 of the statutes is  
4 repealed.

5           **\*-1465/P4.1207\* \*-1059/P3.696\* SECTION 3435.** 560.605 of the statutes is  
6 repealed.

7           **\*-1465/P4.1208\* \*-1059/P3.697\* SECTION 3436.** 560.607 of the statutes is  
8 repealed.

9           **\*-1465/P4.1209\* \*-1059/P3.698\* SECTION 3437.** 560.61 of the statutes is  
10 repealed.

11           **\*-1465/P4.1210\* \*-1059/P3.699\* SECTION 3438.** 560.68 of the statutes is  
12 repealed.

13           **\*-1465/P4.1211\* \*-1059/P3.700\* SECTION 3439.** Subchapter VI (title) of  
14 chapter 560 [precedes 560.70] of the statutes is repealed.

15           **\*-1465/P4.1212\* \*-1059/P3.701\* SECTION 3440.** 560.70 (intro.), (2), (2g),  
16 (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2),  
17 (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7)  
18 (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

19           **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31  
20 to 238.395:

21           **(2g)** "Eligible activity" means an activity described under s. ~~560.702~~ 238.302.

22           **(2m)** (b) The ~~department may by rule specify~~ corporation may adopt a rule  
23 specifying circumstances under which the ~~department~~ corporation may grant  
24 exceptions to the requirement under par. (a) that a full-time job means a job in which  
25 an individual, as a condition of employment, is required to work at least 2,080 hours

per year, but under no circumstances may a full-time job mean a job in which an individual, as a condition of employment, is required to work less than 37.5 hours per week.

(4) "Local governing body" means the governing body of one or more cities, villages, towns, or counties or the elected governing body of a federally recognized American Indian tribe or band in this state.

(7) (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, "tax benefits" means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636. With respect to the development opportunity zones under s. ~~560.795~~ 238.395 (1) (e) and (f), "tax benefits" also means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395 (1) (g) and (h), "tax benefits" means the development zone credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

(c) In s. ~~560.798~~ 238.398, "tax benefits" means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

(d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, "tax benefits" means the economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637.

\*\*\*\*NOTE: This is reconciled s. 560.70 (4m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1195/1 and LRB-1465/P3.

1           **\*-1465/P4.1213\* \*-1059/P3.702\* SECTION 3441.** 560.70 (1) of the statutes is  
2 repealed.

3           **\*-1465/P4.1214\* \*-1059/P3.703\* SECTION 3442.** 560.701 of the statutes is  
4 renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.),  
5 (b), (c), (d) and (f), as renumbered, are amended to read:

6           238.301 (1) APPLICATION. (intro.) Any person may apply to the department  
7 corporation on a form prepared by the department corporation for certification under  
8 this section. The application shall include all of the following:

9           (e) Other information required by the department corporation or the  
10 department of revenue.

11           (2) (a) The department corporation may certify a person who submits an  
12 application under sub. (1) if, after conducting an investigation, the department  
13 corporation determines that the person is conducting or intends to conduct at least  
14 one eligible activity.

15           (b) The department corporation shall provide a person certified under this  
16 section and the department of revenue with a copy of the certification.

17           (3) CONTRACT. (intro.) A person certified under this section shall enter into a  
18 written contract with the department corporation. The contract shall include  
19 provisions that detail all of the following:

20           (b) Whether any of the eligible activities will occur in an economically  
21 distressed area, as designated by the department corporation under s. 560.704  
22 238.304 (1).

23           (c) Whether any of the eligible activities will benefit members of a targeted  
24 group, as determined by the department corporation under s. 560.704 238.304 (2).

(d) A compliance schedule that includes a sequence of anticipated actions to be taken or goals to be achieved by the person before the person may receive tax benefits under s. ~~560.703~~ 238.303.

(f) If feasible, a determination of the tax benefits the person will be authorized to claim under s. ~~560.703~~ 238.303 (2) if the person fulfills the terms of the contract.

**\*-1465/P4.1215\* \*-1059/P3.704\* SECTION 3443.** 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

**238.302 Eligible activities.** (intro.) A person who conducts or proposes to conduct any of the following may be certified under s. ~~560.701~~ 238.301 (2):

(1) **JOB CREATION PROJECT.** A project that creates and maintains for a period of time established by the ~~department~~ corporation by rule full-time jobs in addition to any existing full-time jobs provided by the person.

(2) **CAPITAL INVESTMENT PROJECT.** A project that involves a significant investment of capital, as defined by the ~~department~~ corporation by rule under s. ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property, or depreciable personal property.

(3) **EMPLOYEE TRAINING PROJECT.** A project that involves significant investments in the training or reeducation of employees, as defined by the ~~department~~ corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of improving the productivity or competitiveness of the business of the person.

**\*-1465/P4.1216\* \*-1059/P3.705\* SECTION 3444.** 560.703 (title) of the statutes is renumbered 238.303 (title).

1           **\*-1465/P4.1217\* \*-1059/P3.706\* SECTION 3445.** 560.703 (1) (a) of the  
2 statutes, as affected by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (a) and  
3 amended to read:

4           238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a  
5 reallocation by the ~~department~~ corporation pursuant to rules ~~promulgated~~ adopted  
6 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the  
7 ~~department~~ corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not  
8 exceed the sum of the tax benefits remaining to be allocated under ss. s. 560.71 to  
9 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009  
10 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

11           **\*-1465/P4.1218\* \*-1059/P3.707\* SECTION 3446.** 560.703 (1) (am) of the  
12 statutes, as created by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (am) and  
13 amended to read:

14           238.303 (1) (am) Before the ~~department~~ corporation allocates the additional  
15 \$25,000,000 in tax benefits specified in par. (a), the ~~department~~ corporation shall  
16 submit its plan for such allocation to the joint committee on finance. If the  
17 cochairpersons of the committee do not notify the ~~department~~ corporation within 14  
18 working days after the date of the ~~department's~~ corporation's submittal that the  
19 committee has scheduled a meeting for the purpose of reviewing the plan, the plan  
20 may be implemented and the additional amount may be allocated as proposed by the  
21 ~~department~~ corporation. If, within 14 working days after the date of the  
22 ~~department's~~ corporation's submittal, the cochairpersons of the committee notify the  
23 ~~department~~ corporation that the committee has scheduled a meeting for the purpose  
24 of reviewing the proposed plan, the plan may be implemented and the additional  
25 amount allocated only upon approval of the committee.

1           **\*-1465/P4.1219\* \*-1059/P3.708\* SECTION 3447.** 560.703 (1) (b), (2) and (3) of  
2 the statutes are renumbered 238.303 (1) (b), (2) and (3) and amended to read:

3           238.303 (1) (b) The ~~department~~ corporation may submit to the joint committee  
4 on finance a request in writing to exceed the total tax benefits specified in par. (a).  
5 The ~~department~~ corporation shall submit with its request a justification for seeking  
6 an increase under this paragraph. The joint committee on finance, following its  
7 review, may approve or disapprove an increase in the total tax benefits available to  
8 be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

9           **(2) AUTHORITY TO CLAIM TAX BENEFITS.** The ~~department~~ corporation may  
10 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only  
11 after the person has submitted a report to the ~~department~~ corporation that  
12 documents to the satisfaction of the ~~department~~ corporation that the person has  
13 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the  
14 requirements of any applicable rules ~~promulgated~~ adopted under s. ~~560.706~~ 238.306  
15 (2).

16           **(3) NOTICE OF ELIGIBILITY.** The ~~department~~ corporation shall provide to the  
17 person and to the department of revenue a notice of eligibility to receive tax benefits  
18 that reports the amount of tax benefits for which the person is eligible.

19           **\*-1465/P4.1220\* \*-1059/P3.709\* SECTION 3448.** 560.704 of the statutes is  
20 renumbered 238.304, and 238.304 (intro.) and (1), as renumbered, are amended to  
21 read:

22           **238.304 Eligible activities in economically distressed areas and**  
23 **benefiting members of targeted groups.** (intro.) The ~~department~~ corporation  
24 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax



benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the ~~department~~ corporation determines any of the following:

(1) The person conducts at least one eligible activity in an area designated by the ~~department~~ corporation as economically distressed. In designating an area as economically distressed under this subsection, the ~~department~~ corporation shall follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

**\*-1465/P4.1221\* \*-1059/P3.710\* SECTION 3449.** 560.705 of the statutes is renumbered 238.305, and 238.305 (intro.), (1) and (2), as renumbered, are amended to read:

**238.305 Revocation of certification.** (intro.) The ~~department~~ corporation shall revoke the certification of a person who does any of the following:

(1) Supplies false or misleading information to obtain certification under s. ~~560.701~~ 238.301 (2).

(2) Supplies false or misleading information to obtain tax benefits under s. ~~560.703~~ 238.303.

**\*-1465/P4.1222\* \*-1059/P3.711\* SECTION 3450.** 560.706 of the statutes is renumbered 238.306, and 238.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3), as renumbered, are amended to read:

**238.306 Responsibilities of the ~~department~~ corporation.** (intro.) The ~~department~~ corporation shall do all of the following:

(1) (a) Annually verify information submitted to the department of revenue under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

(b) Notify and obtain written approval from the ~~secretary~~ chief executive officer of the corporation for any certification under sub. (2) (j).

1 (2) (a) A schedule of hourly wage ranges to be paid, and health insurance  
2 benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301  
3 (2) and the corresponding per employee tax benefit for which a person certified under  
4 s. ~~560.701~~ 238.301 (2) may be eligible.

5 (b) A definition of “significant investment of capital” for purposes of s. ~~560.702~~  
6 238.302 (2), together with a corresponding schedule of tax benefits for which a person  
7 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described  
8 in s. ~~560.702~~ 238.302 (2) may be eligible. The ~~department~~ corporation shall include  
9 in the definition required under this paragraph a schedule of investments that takes  
10 into consideration the size or nature of the business.

11 (c) A definition of “significant investments in the training or reeducation of  
12 employees” for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding  
13 schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301  
14 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

15 (d) A schedule of tax benefits for which a person who is certified under s.  
16 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or  
17 retention of a person’s corporate headquarters in Wisconsin may be eligible.

18 (e) (intro.) The methodology for designating an area as economically distressed  
19 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require  
20 the ~~department~~ corporation to consider the most current data available for the area  
21 and for the state on the following indicators:

22 (f) A schedule of additional tax benefits for which a person who is certified  
23 under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under  
24 s. ~~560.704~~ 238.304 may be eligible.